

**WASTE AVOIDANCE AND RESOURCE RECOVERY BILL 2007**  
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*Second Reading - Cognate Debate*

Resumed from an earlier stage of the sitting.

**DR S.C. THOMAS (Capel)** [7.00 pm]: Before question time I was discussing the Waste Avoidance and Resource Recovery Bill and talking about the economic imperatives of recycling and where the government is going to go with this bill. To date we have talked about the cost impacts of recycling and the fact that recycling does not necessarily achieve the most economically positive outcome for the production, use and consumption of materials. We have gone through most of those areas but there are many other areas I want to go through. I will highlight some of the areas in the bill that I want to talk about.

As an aside, during the consideration in detail stage I would like the minister to provide an answer to my questions about clause 3, which contains a list of definitions of certain words that are in the bill. It is usual for a bill to contain a list of definitions. Most bills that refer to a department define the word “department”. Clause 16 and others refer to the activities of the department. However, under the list of definitions on page 2 of the bill, there is no definition of “department”. We recognise and realise that the department will most likely be, and should obviously be, the Department of Environment and Conservation. During the consideration in detail stage or in his second reading response, the Minister for the Environment might explain why the definition of “department” is not required in this bill, although it is generally required in most legislation. If the bill does require a definition of “department”, the minister can take the opportunity to look at that matter during the consideration in detail stage and he can decide whether the bill should contain that definition. Given that we must dot all the i’s and cross all the t’s for all legislation, the definition of “department” must be looked at and explained one way or another. That is just one of the matters that arose in our examination of the bill.

I am trying to avoid going into too much detail during the second reading stage. However, clause 5 mentions moving towards a waste-free society. It is very nice to have a zero waste policy, and perhaps it is a good talking point for the ultra-green members of our community, but it is not a reality. It will never be achieved because there will always be waste. Clause 5(1) states that we are aiming to move towards a waste-free society. That is an oxymoron. I do not wish to move an amendment to the clause, but a waste-free society is an oxymoron because there will always be waste, although how it is dealt with will vary. There will always be a component of waste in Western Australia that goes to landfill. It is an oxymoron to say that we will have a waste-free society. I am happy to leave that phrase in the bill, but I want to put on the record that it probably plays to the emotional rhetoric of this bill without necessarily providing the sorts of outcomes that the bill suggests. I have made a similar point previously about achieving a zero amount of landfill. That is just as unachievable as is becoming a waste-free society. We need to deal with practicalities because this is an emotive issue. One might not necessarily think that the issue of rubbish could be so emotive, but it is a very emotive issue. I just wanted to bring that matter to the attention of the house.

There are problems with splitting the speeches between this bill and the Waste Avoidance and Resource Recovery Levy Bill 2007. Previously I have talked about requiring people to recycle, and the outcomes of recycling. In a minute I will talk about the reduction of recycling and about the container deposit legislation, and the potential and outcomes of that legislation, because it is important. I will spend some time also talking about the recycling process and about the Regional Resource Recovery Centre in the south metropolitan area and the planned recycling plant in Alkimos to the north. The principle behind the Regional Resource Recovery Centre, which is run by the Southern Metropolitan Regional Council in Canning Vale, is a very good principle and it must be adequately supported. That centre is good for recycling in this state. The issue of toxins leaching from landfills is enormous. Most of the landfills are located on the Swan coastal plain. We must support the recycling process. The greatest problem with the resource recovery centre is that it is in the wrong place. As much as I would be delighted to blame the current Minister for the Environment for that, I would be blaming not only the wrong minister, but also the wrong government. I accept that it is in the wrong place because of inadequate planning in the late 1990s. We need waste processing units in Western Australia. In particular, we need the processing units that are currently located in greater metropolitan Perth, which deal with most of the waste that is generated in that area. However, they should be removed from residential areas and located on the escarpment. The waste processing units should be located away from the Swan coastal plain and away from the high watertables and the population base. I accept that the Minister for the Environment will tell me that the former local government in Canning Vale decided to locate that processing unit at its current site. However, that does not mean it was the right decision, and I accept that too. We must move the recycling plants and landfill sites if we are to deal with the issue in a sensitive manner. However, that causes two problems. The first problem is the cost of moving these units. Many millions of dollars have been invested in locating the

processing units at their current sites. Local government cannot afford to transplant those units to a more appropriate place. The second problem is the cost of transporting the waste from near the population that produces the waste to another processing unit at a suitable location.

I spent 15 minutes prior to the dinner break talking about the cost of recycling. One of the greatest costs of recycling is the cost of transport. We do not analyse that cost sufficiently. Those waste processing units should be moved, but we cannot afford to do that at the moment. The minister should spend some time in the next six to 12 months examining the best way to achieve an outcome to the problem he has been dealt; that is, that the resource recovery centre is in the wrong location. That is probably not the fault of anyone who will engage in this debate. It is a separate issue that the minister will have to deal with.

I get a lot of emails, as probably does the minister, from people complaining about the odour that escapes from those units. All those units produce odours. With the best will in the world, unless the government spends \$100 million odour-proofing these units - which is the amount of money the government is looking at - it will not get the complete odour-proofing outcomes that it wants and it will get complaints about them. Everything that the South Metropolitan Regional Council does with its processing unit there needs to be supported; its problem is odour. The truth is the unit should be located somewhere else. The government intends to build another one in the northern suburbs at Alkimos - or is it not going to be built?

**The ACTING SPEAKER (Mr A.P. O’Gorman):** Not at Alkimos; it is at Neerabup.

**Dr S.C. THOMAS:** Neerabup, sorry; thank you very much, Mr Acting Speaker. The government will build another one. The problem is not that these recycling plants should not be built - they should - but where they are sited. Already that area, which is probably part of your electorate, Mr Acting Speaker -

**The ACTING SPEAKER:** No.

**Dr S.C. THOMAS:** No, it is not. Residential developments are starting to encroach on the area where the government intends to locate this recycling plant. The government will find that it will have exactly the same problem. I will have to stand in Parliament and accuse the Minister for the Environment of neglect because of the odour that will escape all around Perth from the plant. Although it will not actually be the minister’s fault, that is the politics of the game. However, that is the next step with which the minister will be faced. Those resource recovery centres are very important processes and they need our support; however, we need to ensure they are built in the right location. If we are to build a resource recovery centre in one area, we must stop residential development nearby. We have already failed to do that.

There are, therefore, a number of issues about those centres. The first is odour. The second is that the bill does not adequately define “resource recovery centre” and “transfer station”. I will leave it to the member for Moore to go into more detail on the amendments that need to be made to those definitions and where that process stands. However, we must consider how to manage the waste in relation to where the recycling plants are situated on the coastal plain of Western Australia. A large number of waste receptacles and refuse pits sitting on the Swan coastal plain are causing damage. The government is starting to build resource recovery centres that will be effectively engulfed in residential areas and it needs a proper plan; this legislation does not provide that. Are we going to wait and see how the minister and the government will deliver a plan that might actually make an impact and improve that process? At this stage, when voices are called for in support of this legislation, the opposition will support the government by saying that this Waste Avoidance and Resource Recovery Bill is not a bad piece of legislation, but all this legislation will do is open the door and allow this government potentially to deliver the outcomes for waste management that this state deserves. We cannot therefore sit in judgement in this place and say that this is a good outcome or a bad outcome. Everything that we and the people of Western Australia will judge the government on in relation to this bill will come from all the things the government delivers from this process.

There is, therefore, a problem with resource recovery centres and where they are sited. We can talk about putting in walls of water to try to hold in the odour. We can talk about vast opening doors. In the remaining 32 minutes I could give the house advice on the appropriate way to manage the biological beds and all of those things that arrest odour. I do not believe I need to do that. However, part of this process is that the state must acknowledge that proper planning for waste management is essential. This bill does not deliver it, and the government will be held to account for the waste management that it does deliver in the next 12 months. That will be the key in relation to what we do.

As I said prior to the dinner break, there is an enormous issue in relation to refuse pits and contaminated sites. My understanding - the minister might be able to correct me - is that the Contaminated Sites Act required some response by the end of the financial year just gone and that the current annual reports of various departments would indicate the impost and effects on them of the Contaminated Sites Act. I have looked through a large

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number of annual reports, particularly those that are related to groups of people or departments that will have an impost placed on them by the Contaminated Sites Act, and I have not read anything that has said, "The Contaminated Sites Act will put this impost on us, the Contaminated Sites Act is going to cost us this level of funding, and these are the things that we are going to have to do." I do not think a report exists that contains those statements. If they were to appear in any annual report, they should be in the annual report of the Department of Local Government and Regional Development. They should appear in that report, because that department will incur the major impost. Interestingly enough, when we get past all those contaminated pits and refuse sites that are registered and examined, we then get to the unregistered refuse sites - the unofficial but credible estimate of 400 sites. By the time the department tries to deal with the sites that are registered and that it knows about, it is not unreasonable to expect that some of those sites will cost \$1 million to mitigate. This state is sitting on a potential \$400 million cost under the Contaminated Sites Act just to clean up unregistered sites alone. An issue that the member for Vasse, as the future Treasurer, will have to deal with is how to come up with an additional \$400 million to deal with these imposts under the Contaminated Sites Act. Those imposts will be enormous, which the state has yet to acknowledge.

I will move on. We have talked about the environmental value of recycling and we have talked about what happens in the European Union and other countries and the way in which people in those countries manage their recycling processes. This relates to a very important component of the bill. The Waste Avoidance and Resource Recovery Levy Bill sets a legislative framework for extended producer responsibility. The most obvious evidence of extended producer responsibility, as we recognise it in common parlance, is container deposit activity - although it is called container deposit legislation. This legislation will give the government of the day the ability to put a price on the disposal of any product. I am not saying that is a bad thing; there are some good parts to it. The difficulty will be exactly how the minister will manage it. To be honest, I think the minister will be under the pump in the next 12 months to put forward a scheme to show that this is the way the government will go forward. That is because the government will have the legislative framework that will allow it to put a price on every product that people want to produce to contribute to the waste mitigation of that product and to be effectively paid by consumers.

In discussing container deposit legislation, we refer to bottles and cans. Ultimately, if the government wanted to, it could use this legislation to place extended producer responsibility on any product. It could be cars. We talk about putting an extra 10c or 20c on a bottle or can of drink to cover the cost of the waste management of that product. A person who buys a bottle or can of drink also buys the container. That container is a waste product, and the 10c or 20c is for waste management. There is nothing in this legislation to stop the government adding \$5 000 to the price of car as part of extended producer responsibility. The government could use that money for the waste management of oil, tyres or anything. I am not suggesting that anything like that is about to occur. These provisions will be difficult to introduce. Therefore, I expect that the government will implement this legislation in a slow and steady manner, and that would be the right outcome. This legislation allows the government to place extended producer responsibility on any product, and that is not necessarily a bad thing.

Let us consider how container deposit legislation might work. Container deposit legislation is one way to address two issues. The first issue involves how much of the product is recycled. The second issue, and this applies to the South Australian model, is the littering of bottles and cans. When a price is put on waste management, a price is put on the bottles and cans. In some areas it has the effect of reducing the littering component. In other areas it has an effect on the recycling levels. Both these things depend on a number of issues. The first is the value put on the containers. The second is the alternatives that are in place. This legislation is only one of a number of alternatives. One of the reasons that the Liberal Party will not oppose this legislation is that it does not have the complete answer on how the legislation should be progressed. This legislation does not provide an answer. However, it provides a series of options, and that is a good reason for the opposition to vote for this legislation. Container deposit legislation is only one of a number of options. Additional and better kerbside recycling are better options.

We talk about container deposits and reverse vending machines, which I know a previous minister was very interested in. There have been a few Ministers for the Environment. I am glad this minister has been in the position for a while, but if we take out the acting ministers - I will not go there - is it a hint that something is about to happen? Has Burkie rung this minister? A previous minister was fond of reverse vending machines, which is an option, but it is not the answer, because it would depend upon the system that was put in place. Reverse vending machines must be installed in an appropriate place. Supermarkets are not necessarily an appropriate place, but shopping centres might be. Service stations might be an appropriate place. We do not want to choose one location over another. However, these are the sorts of things a government might put out to tender to ascertain what is the most effective method of using container deposit legislation.

If an extended producer responsibility system were put in place, not a lot of people would claim back the money. This is an interesting fact that the house should be aware of. If a deposit of 10c is put on a bottle or can, a number of people will claim it every time. Other people will think it is a good donation to the scouts or lions and apex clubs and, for that reason, they will not claim the deposit. That increases the price of the product to the consumer. They recognise it as a cost and it is passed on. It is a good outcome and it should be commended. If there were 100 per cent recovery of containers, the program would go broke.

**Mr J.N. Hyde:** Rubbish!

**Dr S.C. THOMAS:** It would, and even those people who promote that process recognise that. I do not think the member for Perth is aware of the process, but if he considers the people who promote container deposit legislation he would find that 80 per cent is as much as we would want to recycle. If we were to talk to my good friend - not really - the Governor of California, we would find that California has a prominent recycling program and he would tell us that if we recycle more than 80 per cent the costs of the program begin to be impacted upon. In fact, California does not want its people to recycle 100 per cent.

**Mr J.N. Hyde:** It is 92 per cent.

**Dr S.C. THOMAS:** It has a target of 80 per cent.

**Mr J.N. Hyde:** Because it is not as all-embracing as ours.

**Dr S.C. THOMAS:** No, because there needs to be a donor cost. It is a program that is a cost to the community. The best outcome for the people is when 80 per cent of them claim back that cost and 20 per cent of them recognise that this is, in effect, a donation to the community. I do not have a problem with that. Altruism should be encouraged, not discouraged. It is a positive. We are funny bunch in Western Australia, but probably we would find that altruism is very common. I will tell members a story that they will appreciate. There was a guy in my hometown of Donnybrook named Vin Farley. At 97 years of age he would pick up cans and bottles at a time when recycling was worth it. He was a justice of the peace and a wonderful man. He was asked why he was picking up the cans. He said, "It is a good community service and I do it for the old people." He lived to about 103. The community service component of container deposit legislation should not be underestimated. However, we do not want 100 per cent of people collecting the deposits on the containers, because the recycling would not pay for itself and we recognise that.

**Mr J.N. Hyde:** Human nature will mean that we will never get 100 per cent.

**Dr S.C. THOMAS:** Absolutely; the member for Perth is right.

**Mr J.N. Hyde:** That is what makes the system work.

**Dr S.C. THOMAS:** It does, because we do not want more than an 80 per cent involvement. Six to 10 per cent of the containers will always go out in the rubbish. In fact, this leads me to an issue that I am sure my good friend the member for Moore will talk about later; that is, if we put a price on the containers that can be claimed, local government, as well as community groups, would become potential winners. If local government can say that each one of the cans it collects in its recycling process will be worth 10c, instead of one-hundredth of a cent or one-fiftieth of a cent, because the deposit paid is determined by weight, it will be an enormous boon to it. Is it any wonder that local government is behind this legislation? I do not think so. It is not a bad thing; is a positive for local government and community groups.

The opposition will not oppose this legislation. I want to have a realistic and honest discussion about where it needs to go. The points I have raised about this legislation are positive. I acknowledge that there are legitimate negatives about container deposit legislation. If a system is proposed whereby the bottle shops and the local corner store have to carry the burden of the cost of the deposits, we are potentially putting a large impost on those retailers.

Some soft drinks can be bought cheaply in supermarkets. They might cost 10c or 15c a can. As long as a 10c or 20c impost is applied to the consumer - this is the rule of climate change and carbon trading - there will be a reasonable outcome, because the consumer can choose whether to wear the cost. Most Western Australian consumers will wear the cost; therefore, it will be a reasonable outcome. If the cost has to be borne by small business, that is a negative. Although the opposition will not oppose container deposit legislation, it wants to know exactly what processes will be applied by the government. If the process is applied to the consumer, that is where it is meant to be. If it is applied to the small businesses that are trying to provide for those consumers, there is the potential that some of those small businesses will go out of business. The key component of container deposit legislation is that it is one option for controlling both recycling and littering. There are good and bad systems and, interestingly, some states struggle to achieve a container deposit system. For those states, better and greater kerbside recycling will provide a better outcome - there is absolutely no doubt about that. The whole process is determined by the kind of system that is put in place. From a Liberal Party perspective, if this

government is going to implement a scheme for extended producer responsibility, it must work out a system that can be driven by private enterprise. If the scheme is driven and managed by the government, it will fall over. If the government can put in place a good set of regulations that will allow it to stand back and let the recycling industry drive itself, it will be on a winner and the Liberal Party will no doubt get behind it and say that that is a good outcome. The government must put the recycling process out to tender so that it can choose the best outcome. Proponents have suggested that recycling can be a positive and a money-maker is if it is managed right. The private sector is the best sector to manage the process.

The government has not outlined its intentions. It is incumbent upon the Minister for the Environment, preferably during this debate, to explain exactly what the government plans to do in relation to extended producer responsibility and the potential for container deposit legislation. What are the government's plans? The opposition will not oppose the bill, because it expects the government to move on and tell us the next step. It is incumbent upon the government to do so, given this current air of goodwill. Unlike the Minister for Energy's Nuclear Facilities Prohibition Bill 2007, this bill has not been cobbled together for political expediency. This bill has been many years in the making. It is incumbent upon the government to advise us about its extended producer responsibility scheme and its container deposit legislation. It will be sad if the government cannot provide a strong indication of its intended direction, because I expect that this bill will pass through Parliament before Christmas.

**Mr D.A. Templeman:** Can you guarantee that?

**Dr S.C. THOMAS:** I never give guarantees when it comes to the Legislative Council.

**Mr D.A. Templeman:** I would love it if you could!

**Dr S.C. THOMAS:** If I could, I would have far more power than I do at the moment. There is a reasonable prospect that this bill will pass through Parliament before Christmas; therefore, the next 12 months will be important in what the government is planning. I accept that some things will be announced with big fanfare in the media. However, an indication of the government's direction is important.

I want to talk about the process for dealing with toxic waste, which has been something of a failure of the Carpenter government. That is a shame. This issue of dealing with toxic waste arose from the Bellevue fire, which is when the Western Australian community suddenly became aware of toxic waste issues. The government responded by setting up the Core Consultative Committee on Waste to examine an appropriate way to deal with waste. The government faces an enormous issue in how to deal with non-toxic waste that is causing problems for waterways and underground water; this is the difficult stuff. The government decided to find three large areas in which to set up sites for difficult-to-handle toxic waste. However, that idea fell into an enormous hole. The previous Minister for the Environment decided to take the process off the stove because he was not convinced that the three sites were needed. The whole thing was an enormous mess. Why? Because the government established a committee that would deliver a certain outcome, which is what it tends to do. The industries involved in toxic waste argued that they had no representation on that committee. Those responsible for managing waste did not want the government to tell them how to do their job. It is no wonder that industry groups said that they were not interested in the findings of the committee. There was no buy-in from the industry during that process because it was flawed. If the government wants to become involved in the disposal of waste, it must involve industry stakeholders. It must engage with industry properly. That is not a reflection on the current Minister for the Environment; rather, it is a reflection on the way that the government has done business. The government fell on its face. It wanted a toxic waste management plant in the south west, one in the agricultural region and one in the north.

We have talked about the support for a recycling program and the need for the government to enunciate exactly what that program will entail. I recognise that the minister cannot necessarily advise us tonight that the government's program will involve this, that and the other. However, if he cannot advise of a direction reasonably soon, he will soon start to feel the pressure, because after this legislation passes and he has the ability to introduce extended producer responsibility, those who want extended producer responsibility will be on his back on a daily basis. They will chase him for a statement about the direction the government will be taking; therefore, the sooner he provides one, the better.

We will raise a few other issues and there will be some separate parts. Clauses 42 to 56 of the Waste Avoidance and Resource Recovery Bill allow local governments to effectively provide a waste pick-up service. If they are unable to do so, the government will contract out that process. I do not have a problem with that, and neither does local government, as I understand it. I will raise a couple of issues during the consideration in detail stage about the ability to claim costs. The CEO will charge the local government. If the local government has a problem with the fact that the CEO has made that decision, it will apply to the State Administrative Tribunal. There are potentially some issues in relation to claiming costs. Does clause 42, for example, allow the CEO of

the department - I still think the department should be listed under definitions - to claim costs for a SAT appeal? Clause 44 covers the sorts of reports that a CEO will be able to ask a local government or a service provider to prepare if it concerns a private provider. What sort of report should it be, and what should it contain? These are issues that we need to deal with.

I will now spend a couple of minutes talking about the Waste Avoidance and Resource Recovery Levy Bill. The levy in Western Australia is currently \$6 a tonne and will increase to \$9 a tonne. I acknowledge that it will not be \$9 a tonne across the board; various levels will apply. In relative terms, New South Wales' levy is in the range of \$27 or \$28 a tonne and various other states' levies are significantly higher. I do not think anyone is opposed to a levy to deal with the cost of waste disposal. However, we must deal with a couple of issues. I would like the minister to respond to a number of questions. Will the levy on waste that goes into landfill apply to waste that goes to a resource recovery centre, which will then attempt to recycle it? In other words, will the waste levy apply to recycling units? That is a very important question, and an incentive or a disincentive for recycling.

My second question is: what will the waste levy be used on? The opposition is interested in an indication from the minister of the amount of money that is raised by the waste levy each year, which is now in the millions of dollars, and the amount of money that is now sitting in the waste account. That is a very unfortunate name for an account!

**Mr A.J. Simpson** interjected.

**Dr S.C. THOMAS:** I will come to that in a minute. How much is sitting in the waste account, and how much is sitting in the waste levy fund? Until the end of the 2005-06 financial year, almost 18 months ago, the waste levy went to a number of places, including those places that recycle, to provide assistance for recycling. Before this minister was appointed, so it is not a finger pointing exercise, the waste levy stopped going to those recycling units. It is my understanding that it now pays for approximately 19 full-time equivalents in the Department of Environment and Conservation. Is that still the case? I know that money stopped going to the units that were recycling. If those units are still no longer receiving anything out of that levy, that is a great shame. If the government is not making a major contribution to recycling but the levy is still being collected, it is effectively a tax. That is not necessarily this minister's problem but it is a problem I will take up with the Treasurer. If it is not going to the people providing recycling services, it is a tax. If it is going to the department to provide 19 FTEs, even if some of them deal with the administration of recycling units, it is still a tax. That needs to be looked at and we need an explanation of where that levy goes. How much is in the levy fund, and how much is paid into it every year; and how much of that money is going to the department to pay for staff versus how much is going to recycling units? Those are very key questions. I have almost run out of time.

In summation, the opposition, although supportive of the Waste Avoidance and Resource Recovery Bill, recognises that all it will do is open the door for all the things this government will or will not do over the next 15 months. It will enable many things: the Waste Authority to be created, and the Waste Authority to develop a waste strategy and a business plan to support it, and waste plans at a local level. It will not make any of those things happen. All it will do is provide a legislative framework to allow those things to happen. It will not make one single product stewardship action occur. It will either open the door for the government to walk through, or close the door and allow the government to walk outside. It will allow the government to control waste, probably at a level at which it has never controlled it before in relation to local government. It will allow the state government to control local governments' control of waste. That is not necessarily a bad thing, but how that is managed will be the key. This is not a bill that will provide solutions to waste management in Western Australia. It will open the door to provide the government with a statutory framework by which it might actually do the job. The opposition will hold this government to account for how that job is done.

**MR G. SNOOK (Moore)** [7.46 pm]: The member for Capel and shadow Minister for Heritage and Environment has done a couple of things for me. He has outlined in great detail what this bill will do. He has also passed on his dreaded lurgy to me. The first part I appreciate; the second part I do not. I will see if I can get through my allocated time and cover aspects of this bill that principally relate to its impact on local government and, of course, those people who pay their taxes to local government - the residents, owners and occupiers of local government regions - who will carry part of the burden of costs that may flow from such legislation. This legislation is essentially heads of power legislation that will enable these levies and these waste avoidance and resource recovery aspects of this legislation to apply by way of regulation. The WA Local Government Association broadly supports this bill in principle. I am aware that it has had extensive discussions and negotiations with the minister and the department, so it has been a fairly long and drawn-out process, and that is great. The minister has agreed to some amendments to the bill requested by WALGA. However, other aspects of the bill need to be looked at.

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As the shadow minister has said, the opposition does not oppose this legislation but believes it needs a few minor amendments. The three I am alluding to, which I have circulated to the Clerk and to the minister, relate to definitions. The bill refers to waste avoidance and resource recovery, yet nowhere in the bill does there appear to be anything to define what resource recovery actually means. I presume it has probably been thought about, but perhaps it has not. I certainly will attempt to seek the minister's support for my amendments, which will not be at all detrimental to the principles of the bill or its intention.

As I understand it, there is no definition of "resource recovery" anywhere in Australia. There are probably many people who know what those words mean. However, when we are enacting legislation, it is strongly advisable that we make very clear exactly what that legislation is trying to achieve. I have been provided with the definition of "resource recovery" that is applied widely across the European Union. In the European Union, "resource recovery" is defined as "any waste management operation that diverts a waste material from a waste stream and which results in a certain product with a potential economic or ecological benefit". The main operations to which that definition would refer are material recovery, or recycling; and energy recovery, or the re-use of fuels and oils. Energy recovery is an enormous problem in landfill sites. Of course, the other operation, which is a favourite of mine, is biological recovery, or composting.

Mr Acting Speaker, you may recall, as others in this place may recall, that in 2005, at the beginning of this thirty-seventh Parliament, the then Premier, Geoff Gallop, made a speech about waste minimisation and waste management in Western Australia. I cannot remember exactly which speech that was, and I have been unable to pick it up. However, I applauded the Premier at the time for what the government of the day was intending to do; that is, reduce waste, and move towards composting, recycling and re-using products which in the past we have treated as waste, but which are really a resource that we need to use. It is very important that we get this legislation right. As the minister said in his second reading speech, this is significant and groundbreaking legislation. It is a huge move, one that I personally support. However, it will have its difficulties -

**Mr D.A. Templeman:** Its challenges - difficult challenges!

**Mr G. SNOOK:** Yes, difficult challenges, but certainly we need to do better, because we have done pretty poorly since the settlement of Western Australia in managing our waste materials.

I am asking the minister to give consideration to three minor - as I would term them - amendments that I am proposing. I have outlined a proposed definition of "resource recovery". Those words form part of the heading of this bill, and those words are mentioned throughout the bill. However, the bill does not define what those words mean. It is vitally important that those words be defined. I do not believe that would in any way intrude on the intent of the bill before the house. My other proposed amendments are to provide a definition of the word "occupier" and a definition of the word "owner". Levies, fees, charges and rates are proposed to be imposed on ratepayers and residents within local government areas. We therefore need to explain exactly what we mean by those words. "Owner" is defined in the Local Government Act, and "occupier" is defined in the Environmental Protection Act. Those are the three amendments that I will be asking the minister to consider.

The member for Capel has adequately covered the science and the background to this bill, and I will not repeat everything that he has said. However, I place on record that as part of the waste management strategy that the government is proposing to develop, the government will need to pay close attention to what will become an enormous problem in ensuing decades when many of the old rubbish tip and night soil tip sites along the Swan River and within the suburbs surrounding Perth and Fremantle will begin to cause environmental spillage and intrusion into our groundwater source. As the member for Capel has explained, the aim of achieving zero waste is really wishful thinking. It is not possible to attain that aim. I think the member for Perth indicated that that would certainly be the case for the community and the general public, because only about 80 per cent of people contribute to, and become involved in, recycling and the reduction of waste.

I am proud to say that in my time with the Shire of Dandaragan, I was instrumental in encouraging the shire to take a leading role in doing away with the horrible hole in the ground that all and sundry used to be thrown into. There were probably similar sites in many local authorities throughout rural Western Australia. Those days are gone. However, those pits do not come cheaply when it comes to digging and preparation. If the volume of waste going into landfill can be reduced by up to 30 per cent - which is the figure that the staff at my shire at the time indicated had been achieved after one year of operation - that is a significant saving to the community and the shire, not only economically, but also, more importantly, in removing a lot of the potential toxic and nasty products that finish up being buried in tips alongside putrescible waste. In my time in my local government area, we started diverting all the glass, cans, refrigerators and motor vehicle tyres. It seems to be common along the coast to find old broken down motorcars that have been used in the fishing industry, or by visitors who had taken their old cars to the coast found that they could not start them again to take them home, and had therefore left

them there to be disposed of by the local authority. All that material has now been removed and has been recycled.

We can take a very negative view about whether recycling will be profitable, and about what will happen after individual councils have done their diversions, have separated their waste products and have sent them back to distribution points for reprocessing. There have been many stories in the newspaper recently about the recycling of cans and glass containers. I do not believe we should place too much importance on that in considering what we are trying to achieve with this bill. However, we do need to ensure that local government gets a fair deal out of this legislation, because over the years local government has been the whipping boy for a lot of issues that state and federal governments find too difficult to deal with. It is interesting to note that only one-third of the total waste that is generated in Western Australia comes out of the local government cycle. If local government is not given appropriate means with which to negotiate on this matter, in the form of the levies that the new chief executive officer of the Waste Authority will be empowered to impose, it will be very inequitable and will certainly create some problems. I would like to hear what the minister has to say about the powers that will be given to the CEO under the regulations to impose levies to deal with this matter, understanding that the responsibility in this case has been transferred from the Department of Health to the Department of Environment and Conservation. The importance of having good health management in the waste management arrangements under the Waste Avoidance and Resource Recovery Bill is not to be argued against. However, we need to ensure that principally local government - that is, the community - gets a fair crack at having good input into the process of determining the powers and the decision-making processes of the chief executive officer of the Waste Authority.

The member for Capel has covered most of the principal aspects of this bill that I was going to speak about. However, I wish to reiterate my point about a couple of the commitments the minister made but that I cannot see included in this bill. I ask the minister to take note and respond accordingly, if he sees fit. First, the minister was committed to a definition of "owner" and I ask him whether he is still planning to have that definition in the bill. I am not aware of any amendments that the minister has planned for this bill, but there may be some on the notice paper that I have not seen. Second, as I noted earlier, the other is to do with the powers of the CEO.

In summary, the opposition does not oppose this bill but it does have concerns in a number of areas. It will be interesting to see how the government moves into the process of developing regulations once this bill becomes law. It will certainly be interesting to see how all this will work.

There needs to be some clarity about which facilities will be liable to pay the levy. Waste recovery facilities include transfer stations, of which there are probably some in your electorate, Mr Acting Speaker (Mr A.P. O’Gorman); the good old landfill site is another facility for waste; and in the metropolitan area they include the large resource recovery centres and waste management centres such as those located in regional groupings of councils, such as the South East Metropolitan Council.

[Member’s time extended.]

**Mr G. SNOOK:** I believe that the minister has indicated that levies will not necessarily be imposed on transfer stations or waste recycling stations. In my view, levies should not be imposed on transfer or waste centres in the smaller shires and rural areas that are attempting to do the right thing. I think that we need to look carefully at what level of payment or licensing fee is imposed on those organisations. I am talking principally about the waste or resource recovery facilities and the transfer facilities in which the separation of the waste stream occurs. I am not talking about the major processing centres. However, regional local governments with millions of dollars invested in recycling and waste management need to understand and have certainty about the level of the fee that will be charged and where it will be applied. I ask the minister to keep that in mind while progressing this bill and striking a levy figure.

I will conclude by saying that I will watch with interest as debate on this bill moves into the consideration in detail stage of the debate. The opposition will be considering a number of minor points at that time. I reiterate our support for the bill. As we see it, we have no intention of amending the bill to any degree that would cause the government grief. However, that is the government’s call. We hope that the couple of minor amendments we will suggest to cover the whole aspect of definitions will be acceptable to the government in getting this bill right.

**MR A.J. SIMPSON (Serpentine-Jarrahdale)** [8.05 pm]: I too wish to have a say on the Waste Avoidance and Resource Recovery Bill 2007. Rubbish or waste recovery is an issue for anyone in government, be it local government or state government. Cardup landfill has been operating in my electorate now for some six years. It is a classic example: everybody puts their wheelie bin out at the front of their house and the contents go away. Where they go they do not really care; as long as it is not in their backyard.

We have a responsibility to ensure that tips operate within the boundaries set by the Department of Environment and Conservation. I must admit that the Cardup tip has a somewhat chequered history, but at the moment it is operating at what I see as a reasonable standard. One of the better aspects of this landfill site is that the first cell to be capped is now being used to produce methane gas that generates power for about 3 500 houses. There is talk that this process will last for about 15 or 20 years, by which time it is hoped that it will be generating enough power to supply about 5 000 houses - all by drilling holes into the side of a landfill site to suck out the methane gas.

The member for Moore mentioned a very good point. Whilst this tip is operational it is being inspected. However, there are some concerns in my community that the site is leaking, although there is no actual evidence of any leakage today. I have conducted my own independent testing with the Chemistry Centre and we are yet to find any proof of a leak. Nonetheless, I can understand why the people are concerned. The tip is built on an old gravel pit, so it is shale, which moves, and the lining is prone to damage and leakage. However, the only way to find whether it is leaking is to take regular bore samples around the tip. These are being done at the moment. I guess the old saying applies: everybody wants to put their bin out, but nobody wants to take responsibility for the rubbish in it. This is where the role of government comes into play. I would like to see a bit more testing done on the Cardup tip site. Given that the government is making about \$30 million out of landfill levies and tip fees, it could do a bit more to alleviate the community's concerns.

There is a landfill site at one end of my electorate. However, because nobody likes the idea of digging a hole and burying waste anymore, we now have a policy of no more new landfill sites and we are looking at different ways of disposing of waste. At the other end of my electorate, just on the border, is the Regional Resource Recovery Centre - the RRRC - which has had problems throughout its operational life. However, when we stand back and look at the bigger picture, we see that that centre is taking our rubbish and turning it into compost. Our rubbish is no longer going into landfill. Unfortunately, the compost produced is not suitable for growing food products because of the three to five per cent of glass that it contains. However, at the same time, when we stand back and look at the whole picture, we see that the government is trying to find ways to process that.

The RRRC is located only 400 metres from local housing, and people complain about the smell. We are still going around in circles trying to work out what the solution is and whether we need to fix the filters or what the process should be. I must admit that it is very hard to get a scientific reading of an odour and determine whether it can be smelt 400 metres away from the site. Some days it does smell and some days it does not smell, so we have a constant argument. We are all trying to address the bigger issue and ensure that the tip operates within the guidelines set by the Department of Environment and Conservation. However, it concerns me when I hear that the government has \$30 million in a so-called waste account. It could be doing more to address some of these issues.

The member for Moore mentioned the processes by which all local governments have to address the issue of waste disposal in their communities. He mentioned that in the old days, a hole was dug and everything went into that hole and was buried. However, today we have stopped to take a look at what is happening to the environment because we know that we will hit the real problem down the road in 15 or 20 years. Whoever has carried out the landfill will be responsible for it once the area is capped. They will either deal with it 20 years down the road or come back to the government and say they have a problem with it that will have to be dealt with. The issues are out there. I do not know how we will address them as a whole but we must look at certain aspects. No more landfill is being carried out because people are looking at better ways of disposing of landfill. Unfortunately, all the regional resource recovery centres around the world are closing down. However, my research tells me that they are all in built-up areas, which seems to create another sort of problem.

**Dr S.C. Thomas:** They all create odour issues.

**Mr A.J. SIMPSON:** Indeed, one wonders if anybody did any research before they were built. Just the other side of the rail line from Canning Vale is Jandakot airport, which has a land buffer around it. If an RRRC were built there, people would not suffer from the odour because of the few kilometres of buffer land.

The issue comes back to the local government decision-making process by which five bodies got together, put money into the project and built it, and now we are left holding the baby, as it were.

**Mr A.D. McRae:** I regularly get complaints in my electorate. I do not know what happens over on your side with the RRRC, but do you get regular complaints?

**Mr A.J. SIMPSON:** Yes, I do from Canning Vale. There is an issue there. I live in the real world. I have looked at the issue and I understand we cannot keep digging holes to bury rubbish. It was probably a good system but just in the wrong place. I do not know how we can fix it because we cannot just pick it up.

**Mr A.D. McRae:** Move it!

**Mr A.J. SIMPSON:** It would be good if that could be done. The people of Willetton and Canning Vale would love it.

We do not oppose the Waste Avoidance and Resource Recovery Bill, but the levy is an issue. I think we will hear arguments from tip operators as the levy rises. They will be asking what they get for their money. That must be an issue because every business has to make a profit. If tip charges and rubbish bin rates go up, they will be passed on down the line. If we start saying to a tip operator that he must manage landfill for 20 or 30 years after the site is closed, he will have to do some financial planning for the future. The bill is saying in effect that if somebody puts a product in a container, he must take responsibility for the container's recycling or disposal. One can see the benefit of it for the whole container process. The bill is heading down the right road, but when it gets to the end of it, I am not quite sure what will happen. I wanted to make those few points on the bill. We do not oppose the bill, but I will think there will be some issues with the rubbish and tip operators.

**MR T.R. SPRIGG (Murdoch)** [8.15 pm]: I note with interest that the bill gives the government the right to regulate and to bring in container deposit legislation. From a previous life I have some knowledge of when this container deposit legislation was suggested. I refer to my 13-odd years working at the Swan Brewery. The member for Cottesloe rather unkindly suggested that I must have emptied quite a few containers in that time. He is probably correct! However, I want to caution the government and the minister before bringing in container deposit legislation. My experience of working at the Swan Brewery was a good few years ago now, but I think the situation is mostly still the same. We need strong and wide debate before this bill is enacted. I am not denying that container deposit legislation might be the ultimate solution to litter problems that are evident in some parts of the state. As I am sure we all do, I have been carefully looking around when walking and riding around my electorate. I have seen glass on bike tracks, but, strangely enough, it has not been greatly evident in my electorate. I was quoted in a local newspaper a few months ago about that. As we do, I receive plenty of letters and emails about that. Photos were sent to me, for which I was very grateful, but not one of them was taken in my electorate. They were taken in places like Darling Street, Willagee in the Premier's electorate. Of course, not all people understand exactly where an electorate starts and stops. The photos mainly came from bike riders who tend to see litter and broken glass on the side of the road.

If container deposit legislation is to come in, no doubt the government will say it has strong support from bodies like the Western Australian Local Government Association. I can understand that support, because to try to get rid of waste is a burden on local government. It always has been and always will be. The member for Serpentine-Jarrahdale mentioned the RRRC just outside his electorate in the member for Riverton's electorate, I think. It will always be an issue. WALGA is possibly saying that it would be great if someone were to take the issue off local government's hands. It may be that in some instances not enough research has been done on what container deposit legislation will actually mean. What will be some of the effects if container deposit legislation is brought in? The first will be the inflationary effects for the consumer. My estimation is that the cost of a carton of beer of 24 cans or stubbies, which is the main container size used these days, will probably increase by about \$6 or \$7. That is a fairly big impost on the working man. People opposite love to say that they support him strongly.

**Mr A.D. McRae:** We are not so sexist. We refer to working families.

**Mr T.R. SPRIGG:** That is right. It would be very difficult and costly to implement container deposit legislation. Lots of figures have been thrown around. One that sticks in my mind is \$100 million as the cost of implementing an effective system of container deposit legislation.

Western Australia has no glass recycling plant. The glass gathered here is shipped to a glass recycling plant in South Australia. I think one statistic shows that if glass has to be transported more than 20 kilometres - bear in mind this glass is being shipped 2 500 kilometres or something very similar - recycling is not cost effective.

**Mr A.D. McRae:** The only thing that made a difference was when the ACI glass plant was in Canning Vale and they did a study on it.

**Mr T.R. SPRIGG:** It is a bit sad it closed.

**Mr A.D. McRae:** The only thing that made it feasible was that they were getting backfill rates.

**Mr T.R. SPRIGG:** Yes, that is exactly right. If it was still next to the Swan Brewery, things would be different. I also understand that some municipalities do not have recycling bins. I am not sure if it is true, but I have been told that the City of Stirling does not have yellow-top recycling bins.

**Dr S.C. Thomas:** Believe it or not I was asked by *The West Australian* because it was running an article in the newspaper. The City of Stirling actually does recycling but it does not provide a separate yellow-top bin. Everything that comes down to the City of Stirling goes through an all-in-one recycling unit.

**Mr T.R. SPRIGG:** One would have to argue that is not true recycling if it cannot be separated.

**Dr S.C. Thomas:** It separates the rubbish in the bin.

**Mr T.R. SPRIGG:** Do people dig into the bins?

**Mr A.D. McRae:** It must have very poor recovery rates and it is the largest local authority in the state.

**Mr T.R. SPRIGG:** That is right.

Several members interjected.

**The ACTING SPEAKER (Mr P.B. Watson):** Order! There is one member on his feet and about half a dozen people talking for him.

**Mr T.R. SPRIGG:** It is an interesting debate, Mr Acting Speaker. I appreciate the contribution from the members and being put right on the situation. I would argue that if there is only one bin, the education is not there.

Before we discuss container deposit legislation, there needs to be a strong campaign to encourage the recycling of recoverables and so on. I sought to find out what sort of recycling information people are getting in my electorate. They get a little calendar and when they pay their rates, they get a little note that informs them of their recycling days, days on which their yellow bins are to be collected and what they should put into their yellow bins. The calendar sits on the fridge; that is where people put it, because they need to refer to it all the time. However, that is all the information people are getting about recycling. There is nothing happening. I know sustainability is taught in schools, and that is terrific, but I have to say that we need a far better public education program about the value of recycling. If we were to do that, perhaps we would not incur the expense of introducing container deposit legislation. I still say that at the end of the day we might have to come out for that. I will be interested to hear what the minister has to say. I am aware that Barry Carbon addressed the Chamber of Commerce and Industry of Western Australia recently, and said that the minister had suggested there would be some form of deposit system in future and that he would like industry to run it. I would like the minister to let members know about that; if that is the case, he should give members a time frame. We have all been lobbied by organisations such as the Boomerang Alliance, of which many people I know claim to be members. I am not sure how many people are actually active members of the Boomerang Alliance; I know that they sign up members of Apex clubs and so on, and that is fine. It is a good feeling and it is a good thing to put one's name to; however, I do not know whether all of those people are completely passionate about it. On the other hand, some major players are associated with the Australian Food and Grocery Council, including the suppliers of packaging; the major brewers, such as Lion Nathan and Fosters Group Ltd; and the major wineries. It is a very powerful body, and I believe it is prepared to contribute \$30 million to look at other methods of recycling, because for obvious reasons it is not particularly keen on container deposit legislation. I will leave members with those thoughts and I will be very interested to hear what the minister has to say.

**MR D.A. TEMPLEMAN (Mandurah - Minister for the Environment) [8.21 pm]:** I thank the members for Capel, Moore, Serpentine-Jarrahdale, and Murdoch for their contributions and for the positive comments that have been made about this legislation. We have to get dinkum about tackling the way in which Western Australians and, indeed, Australians have traditionally addressed the issue of waste. The fact is that, historically, there has been an attitude that when waste is out of sight it is also out of mind. The trend has been to bury all sorts of waste at landfill sites. In recent times we have experienced the implications of waste that is potentially toxic or that contributes to an increase in greenhouse gas emissions escaping into the atmosphere. In my view, Western Australians also have to get dinkum about the fact that our recycling rates are among the lowest in Australia. That is something we have to change. Part of that change is about the behaviour of individuals, families, communities and business and industry, because the fundamental reason behind moving towards a zero waste policy is that we cannot continue doing things in the same way as we have for the past 175-plus years. I thank members for their positive approach to this bill and for their recognition that this bill is very much a new way forward, and will enable a more effective and responsive approach to waste management now and in the future. This is groundbreaking legislation, and it is important enabling legislation, as the member for Moore highlighted. It will put in place a framework to embrace a new era of cooperation between the state government, local government, industry and communities. The framework provided by these two pieces of legislation is an important, positive step towards an aspirational aim. I understand the member for Capel's comments about issues concerning zero waste policy. I think we need to understand that this is an aspirational target and that we need to have aspirational targets, just as in industry we aim towards a zero occurrence of industrial accidents. Our objective is to move towards a zero waste outcome. I appreciate the member for Capel's comments and his knowledge and understanding of waste management. He has articulated that well tonight. It is also important to highlight that this bill focuses not only on recycling - although improved recycling rates is an outcome of this enabling legislation - but also on ensuring that we look very closely at the whole waste stream, particularly the

avoidance of unnecessary waste, so that we can look at what needs to happen and how we can reduce waste before it is created.

I am sure members of my vintage will remember the days of the bottle-oh. I can remember the bottle-oh in Northam. Children collected bottles, took them to the bottle-oh and got their deposit or refund.

**Mr A.D. McRae:** If any people are too young to remember that, they should read Frank Hardy's *The Outcasts of Foolgarah*. You get a very good description of the life of a bottle-oh.

**Mr D.A. TEMPLEMAN:** Indeed, and there were some great bottle-ohs in Northam; there were some great characters involved in that.

**Dr S.C. Thomas:** I remember that; did you ever take your bottles back a second time?

**Mr D.A. TEMPLEMAN:** The member for Capel might have done that, but I could not possibly have done that! I had morals instilled in me!

Over the past 20 years, for a variety of reasons, people have accepted the out of sight, out of mind mentality. We have consequently accepted a new range of consumer waste products. That does not mean that we should not look at how things need to be addressed - in this case, waste creation at source. We live in an era of history in which products, be they containers, packaging, or components of particular appliances, are chucked away when they are broken or have been used. We now have to accept that there are huge consequences resulting from that behaviour that has become embedded in our psyche.

Now is the time for us to revisit that behaviour and to revisit what must happen if we are to have an impact on reducing greenhouse gas emissions and if we are to find better and more effective options rather than allowing waste to end up in landfill, which creates a range of other problems. We want to work in cooperation with the community, local government and industry. This bill is about saying to the community, local government and industry that we must come up with better opportunities and outcomes, and the best way to do that is to work together. That is why the bill focuses on voluntary cooperation. If we do not achieve the outcomes that we are aiming for, we must provide mandated responses and regulations. That is why that element is embedded in the bill as enabling legislation. Frankly, we must work cooperatively, effectively and with goodwill. We must also set very clear time lines and milestones that we want to reach to ensure that we move towards a zero-waste policy.

**Dr S.C. Thomas:** Can you tell us what they are?

**Mr D.A. TEMPLEMAN:** I am coming to that. A number of issues were raised in the second reading debate, and I will try to address them in my response this evening. I hope that I will allay members' concerns and answer the questions that they have asked. I will refer to some of the comments of the opposition spokesperson, the member for Capel. He spoke about the location of waste sites and referred to the resource recovery centre. The member raised very valid concerns and issues; we all accept that. The important point is that through the creation of a Waste Authority, this legislation makes the case for a much more effective state waste strategy. That will be the primary function of the Waste Authority. Importantly, this bill creates a Waste Authority that will have a separate regulatory role from that which the Department of Environment and Conservation has. We are creating autonomy that will allow the authority to very effectively work with all the key stakeholders to address some of the long-term issues, including those that the member for Capel highlighted and those issues that we face now and will face in the future. The authority will play a key role in providing long-term strategic advice and planning. The member for Capel's key point was the issue of strategic infrastructure. It is important to highlight that a significant part of the five-year waste strategy focuses on infrastructure planning. Indeed, work on that has already commenced. When the authority is set up and there is strong and effective representation on that body, some of the key medium and long-term planning issues will be at the forefront of the strategic work of the authority.

Mention was made of the definition of the department and whether a definition of "department" was needed in the legislation. It is not usual to define a department under legislation because it is determined through the administrative orders of the *Government Gazette*. That matter will be addressed when the *Government Gazette* is printed.

Another important issue that the member for Capel raised relates to the Environmental Protection Authority. Early in the process we want to have a genuine conversation with industry about its responsibility for addressing the waste it creates, in whatever form. We want to make sure that we can work effectively with industry. I believe that is achievable. There are various examples of where very strong efforts have been made. We will bring to the table a range of important key stakeholders by focusing on working in partnership and by cooperating. I have dealt with the member for Capel's concerns about clauses 3 and 5.

Another important issue is toxic waste contaminated sites. The Bellevue disaster occurred during the core consultative committee process. Since that event, we have made significant improvements and addressed a range of issues that arose from that inquiry regarding dealing with hazardous waste. I will highlight a couple of the improvements since 2003

**Mr M.P. Whitely:** It happened in 2001, just a week after we came to government.

**Mr D.A. TEMPLEMAN:** Okay. We made improvements to the licences for treatment facilities. That relevant recommendation resulted from the full licence review process that was carried out. The government has passed and is enacting the Contaminated Sites Act and the regulations that have been passed. We have also created within the Department of Environment and Conservation the pollution response unit. That unit responds directly to pollution incidents. We have put in place a hazardous waste tracking system that tracks the nature and location of all hazardous waste movement in the state. Currently, the government is investigating the feasibility and cost benefits of establishing hazardous waste precincts, as part of the recommendations of the CCC on waste process. I am not saying that there is not more to be done, but the government has responded to the issues of toxic waste management. We have moved a long way and learnt some very important lessons from the Bellevue incident. The importance of the contaminated sites legislation cannot be underestimated with regard to dealing with sites throughout Western Australia that have been identified as either contaminated or potentially contaminated. That process is ongoing. Members are aware of the milestones that have been reached.

A number of members queried the issue of levies. The parliamentary review of the resource recovery and recycling scheme, which is known as the RRRS, recommended that the scheme be discontinued. Of course, the member for Moore is aware that the scheme ceased at the end of the financial year just concluded. It is important to highlight that the local government has obviously continued to receive significant funding. The member for Moore's particular concern was for consistency in funding and for an assurance that there would be a clear delivery. It is important that we highlight that more than \$3 million has been budgeted this year to assist local governments with their waste plans. Being a former local government councillor, as is the member for Moore, I am very much aware that I want to work absolutely with local government. I have said that to the president of the Western Australian Local Government Association, to various councillors and to the chair of the waste board. The state government now needs to acknowledge that we must not only establish but also maintain and cement into the future a very clear partnership to deal with this issue of waste. In the old days the councils were the primary rubbish dealers. We recognise very clearly that a multi-government approach to this issue is required. I am absolutely committed to working with local government to ensure that we support them in delivering the outcomes that we all want to achieve for waste minimisation, waste avoidance and waste recycling.

I am therefore very confident that there will be ongoing positive outcomes related to the levy issue. In the recent past, money has gone to local government for zero waste plans; a significant number of dollars has gone to the rural recycling cost offset scheme, of which the member for Moore may be aware; and \$100 000 has gone to WALGA to support policy development projects. I believe that demonstrates an ongoing commitment to support local government in the important role that it is playing and will continue to play into the future.

There are other important elements of the bill to be aware of that really go to the container deposit issue, which is one example of what the government and governments in the future may consider. Clearly, a strong case can be made for schemes similar to those in other parts of the world and similar to the one in South Australia that has been operating for 30-plus years, known as the container deposit scheme. Our position currently is that we welcome the report from the task force that was chaired by the member for Perth. That task force had very good and effective representation from a variety of stakeholders who contributed to that strategic document. That, of course, assisted in feeding into government an image of what the scheme would look like if Western Australia moves towards that scheme. Currently, I am engaged in an economic analysis process that will be important when we consider any scheme in the nature of a container deposit scheme. However, without doubt there is evidence of very strong, widespread community support for a scheme. If we move to adopt that scheme, it will obviously need to take into account Western Australia's specific circumstances. We will need to ensure that the scheme encourages strong participation, which is possible from a scheme of that nature. Another aspect of recycling, of course, is to closely examine the mechanism or mechanisms that must be put in place to lift the state's very poor recycling rate. A 22 per cent recycling rate is very disappointing; I have said that it is unacceptable. The member for Murdoch highlighted the issue of recycling and the need for education. Schools and many people in the wider community are perhaps more educated about recycling than they were 10 to 15 years ago. I think we are now in an interesting phase, particularly with climate change being such a major issue that all sectors of the community are focusing on. We can utilise this increased attention on the environment to protect the environment and question the sort of world that we will leave for our children, our grandchildren and so on into the future. I think we are therefore at a very interesting position. If we are to achieve genuine

behaviour change - in this case an increase in the recycling rate - there is no better time than now to introduce a range of measures to improve that damning statistic on recycling. I am confident that we will improve it. However, I will examine the economic analysis and I will continue to consult. If we go down the CDL way, it must be an effective system that works for Western Australia. Other mechanisms that can add to or improve recycling may need to be considered, but ultimately we cannot sit back and say that the low 20 per cent recycling rate in Western Australia is acceptable, because it ain't. We must implement important community-based and community-supported initiatives that will help us to achieve vastly improved outcomes on that issue.

Another aspect of the bill - again I come back to the fact that the bill is not about recycling - is the question of how we as a modern society view our behaviour with regard to waste, what we throw away and what we create in our communities. It is very important that we do not lose sight of the fact that Western Australians on average are very high consumers of energy, high consumers historically of water and high consumers of products - a voracious appetite in some respects - and that we cannot turn our backs on the problems and challenges that consumption creates. As Western Australians we must all accept that we do not live as sustainably as we should or as we could.

**Mr G. Snook:** What is that roughly 20 per cent figure on recycling based on? Is it based on total waste including industrial waste or is it 20 per cent of local government waste? Have you got those figures?

**Mr D.A. TEMPLEMAN:** I will give the member for Moore more details on that in the consideration in detail stage. I do not have full notes with me.

**Mr G. Snook:** I am not trying to trick the minister. I am interested and I will wait.

**Mr D.A. TEMPLEMAN:** When we go into the consideration in detail stage I will be able to provide the member with that information.

**Dr S.C. Thomas:** You might find that the figures are actually much lower.

**Mr D.A. TEMPLEMAN:** Yes; irrespective of that, it is very low. I know that the member for Moore acknowledges that. I believe it is also important - I probably should have said this when I was talking about the levy - to talk about what the levy may or may not be used for and the items that will be impacted or affected by it. It is important that I highlight what I said in my second reading speech; namely, that there is no doubt that the wording in the bill as it relates to the levy is very general. However, there is no intention to apply the levy to anything other than waste that is landfill. That is an important point to highlight. Even if a future government decided to change the way that the levy is applied, clearly that can be achieved only by way of regulations, a process that would include wide consultation and, ultimately, the assent of Parliament. If a future government decided to change the way the levy is applied, it must engage in extensive consultation and go through the democratic parliamentary process.

The member for Moore mentioned the chief executive officer's powers and referred to the CEO of the Waste Authority. The reference to "CEO" in the bill is a specific reference to the CEO of the department and to his or her role, responsibilities and powers and how they will interface with the decisions made by the authority and any appeals that are made to the State Administrative Tribunal.

I have circulated a series of amendments that I will move during consideration in detail. The member for Moore said that he will move amendments to the bill to define the words "occupier" and "owner". As I have pointed out, the amendments that I have circulated will address those references. The definition of "owner" will be referenced in the amendment that I will move to the Local Government Act, which is what the member for Moore was seeking to do with his amendments.

I am very pleased with members' good and positive contributions. Clearly the members who contributed to the debate understand why the bill has been introduced, its intentions and what it will do to establish an enabling framework that will allow for progress in this area. The government is keen to see the bill pass through both houses of Parliament. There has been extensive consultation, as was highlighted by the member for Capel. I have consulted with local government. I thank the Western Australian Local Government Association and those local government members who highlighted concerns. We have worked through a range of those issues. It is important to highlight that the bill has clearly defined objectives. It allows for flexibility so that a range of initiatives can be investigated and ultimately implemented by government. It encourages strong commitment and cooperation between the key stakeholders and sectors, which need to be embraced as we manage waste into the future. The bill will move us forward and will create a new era of cooperation. It will deliver a zero-waste aim.

As the member for Capel highlighted, over the next 12 months we will face challenges and further debate. However, as soon as the Waste Authority is established and operating effectively and working with industry and key stakeholders, we will see major long-lasting, effective and sustainable changes in not only the way we deal

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Dr Steve Thomas; Mr Gary Snook; Mr Tony Simpson; Mr Trevor Sprigg; Acting Speaker; Mr David Templeman

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with waste, but also how we view the waste process. The mechanisms embedded in the bill will allow us to move forward. I am looking forward to the consideration in detail stage to address any other issues that need clarification. Significant efforts have been made by a series of individuals, stakeholders and organisations -

**Dr S.C. Thomas:** Including the member for Maylands.

**Mr D.A. TEMPLEMAN:** Of course! I should have mentioned my very good colleague the member for Maylands, who was the greatest environment minister this state has had. She was the Minister for the Environment for five years.

**Dr S.C. Thomas:** There is a limit! Just because you forgot to mention her -

**Mr D.A. TEMPLEMAN:** Yes, now I can lavish praise on my colleague the member for Maylands! Before she was the environment minister, she was the shadow spokesperson. I will not go into the government's massive achievements in the environment portfolio over the past seven years, many of which have been steered through Parliament by my colleague the member for Maylands. I thank members for their support. I am looking forward to addressing concerns about particular clauses. If the member for Capel is able to influence his colleagues in the upper house -

**Dr S.C. Thomas:** That is a big ask!

**Mr D.A. TEMPLEMAN:** I know; however, the member for Capel has used some interesting methods to encourage people and I am sure he can use those methods on some upper house members. I commend the bill to the house and look forward to its ultimate passage through Parliament.

Question put and passed.

Bill (Waste Avoidance and Resource Recovery Bill 2007) read a second time.